

Notice of Allowability

Application No.

10/767,154

Examiner

Thomas A. Morrison

Applicant(s)

ELLIOTT ET AL.

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's 11/01/2006 amendment.
2. ☒ The allowed claim(s) is/are 1-13 and 15-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. David D. Kalish (Reg. No. 42,706) on 01/18/2007.

IN THE CLAIMS:

In claim 10, line 2 after "location", "that" has been replaced with -- where the first roll --.

In claim 10, line 3 after "location", "that" has been replaced with -- where the second roll --.

In claim 12, line 7 after "location", "that" has been replaced with -- where a first roll --.

In claim 12, line 8 after "location", "that" has been replaced with -- where a second roll --.

In claim 12, line 9 before "first", "a" has been replaced with -- the --.

In claim 12, line 10 after "and", "second rolls" has been replaced with -- the second roll --.

In claim 13, line 2 before "and", "the first media path location" has been replaced with -- the second media path location --.

In claim 13, line 2 after "through", "the second media path location" has been replaced with -- the first media path location --.

In claim 18, line 2 after "with", "a single roll" has been replaced with -- the first roll which includes a single contact point --.

In claim 18, line 3 before "at", "multiple rolls" has been replaced with -- the second roll which includes multiple contact points --.

In claim 20, line 9 before "and", -- with a first roll -- has been inserted.

In claim 20, line 10 after "location", -- with a second roll -- has been inserted.

In claim 20, line 11 after "of", -- the first roll which includes -- has been inserted.

In claim 20, line 11 after "single", "roll" has been replaced with -- contact point --.

In claim 20, line 12 before "multiple", -- the second roll which includes -- has been inserted.

In claim 20, line 12 after "multiple", "rolls" has been replaced with -- contact points --.

In claim 20, line 14 before "roll", "single" has been replaced with -- first --.

In claim 20, line 15 before "at", "multiple rolls" has been replaced with -- second roll --.

In claim 20, line 15 after "with the", "single" has been replaced with -- first --.

In claim 20, line 16 before "rotating", "multiple rolls" has been replaced with -- second roll --.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

Independent claims 1, 12, 19 and 20 in the amendment dated 11/01/2006, as modified by the examiner's amendment, are patentable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including determining an expected amount of skew that will result as a media sheet moves through a media path or duplex path based on at least one physical characteristic of the media sheet; and moving the media sheet along the media path or duplex path through first and second rolls at a speed differential to remove the expected amount of skew.

Independent claim 11 in the amendment dated 11/01/2006, as modified by the examiner's amendment, is patentable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including determining an expected amount of misalignment of a media sheet from proper alignment at a predetermined point along the media path based on at least one physical characteristic of the media sheet; and once the media sheet reaches the predetermined point, automatically moving the media sheet by the amount of misalignment.

Independent claim 15 in the amendment dated 11/01/2006, as modified by the examiner's amendment, is patentable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including determining a skew amount that will result as a media sheet moves

through a media path based on at least one physical characteristic of the media sheet; and during simultaneous contact with a first roll and a second roll, adjusting a speed of the first roll to a predetermined percentage of a speed of the second roll, with the predetermined percentage based on the at least one physical characteristic and the skew amount.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Art Unit: 3653

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

01/20/2007

A handwritten signature in black ink, appearing to be 'PM' or similar initials, written in a cursive style.

PATRICK MACKEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600